

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiffs,)	4:04CR3061
)	
V.)	
)	MEMORANDUM
KENNETH SLOMINSKI and)	AND ORDER
ROGER RIKLI,)	
)	
Defendants.)	

Over the noon hour today, I was informed by counsel for the parties that this case will be resolved by plea negotiations. The government has reached an agreement with Mr. Slominski and Mr. Rikli but that agreement has not yet been reduced to writing. Given the pendency of trial in this matter, I held a telephone conference to clarify my trial schedule.

I understand that Mr. Slominski will be pleading guilty to one count in 4:05CR3017 and one count in 4:06CR3075. In exchange for that plea of guilty, I understand the government will dismiss this case as against Mr. Slominski. I also understand that the facts of this case will be used by the government as relevant conduct for sentencing purposes in the other cases. I further understand that Mr. Slominski will be free to contest that the facts of this case are properly considered as relevant conduct in the other cases.

I also understand that the government intends to enter into a pretrial diversion agreement with Mr. Rikli. Should Mr. Rikli successfully complete pretrial diversion, this case would be dismissed as against Mr. Rikli.

The parties require additional time to reduce their agreements to writing and thereafter to consummate their respective responsibilities under said agreements.

With that in mind, all parties jointly moved to continue this matter until further order of the court and to take this case off the trial docket. The parties further agreed that I should exclude the time required for purposes of computation under the Speedy Trial Act and otherwise.

Therefore, IT IS ORDERED that:

- (1) This case is removed from the trial docket until further order of the court.
- (2) The time between today's date and further order of the court is excluded under the Speedy Trial Act and in the interest of justice. See 18 U.S.C. § 3161(h)(1)(I)& (h)(8)(A)(B).

December 14, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge